

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Southern District of Ohio

United States of America
v.

Jerad A. Metzler
290 Pointe Place
Westerville, OH 43082

Defendant(s)

Case No.

2:18-mj-13

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 5/23/2017 to 10/18/17 in the county of Delaware in the
Southern District of Ohio, the defendant(s) violated:

Code Section
18 U.S.C. Sections 2252(a)(2)

Offense Description
Receipt of visual depictions of minors engaged in sexually explicit conduct via
any means or facility of interstate commerce.

This criminal complaint is based on these facts:

See attached affidavit incorporated herein by reference.

☒ Continued on the attached sheet.



Complainant's signature

Brett M. Peachey, FBI TFO
Printed name and title

Sworn to before me and signed in my presence.

Date:

1-9-18

City and state:

Columbus, Ohio



Judge's signature

Chelsey M. Vascara, U.S. Magistrate Judge

Printed name and title

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT, EASTERN DIVISION OF OHIO**

In the Matter of the Criminal Complaint:

United States of America

V.

Jerad A. Metzler

290 Pointe Place

Westerville, OH 43082

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Brett M. Peachey, a Task Force Officer with the Federal Bureau of Investigation, Columbus Resident Agency, being first duly sworn, hereby depose and state as follows:

1. I, TFO Brett Peachey (your affiant), submit this affidavit in support of a criminal complaint to arrest for violations of Title 18 United States Code (U.S.C) 2252 (a)(2) – Receipt of Visual Depictions of Minors Engaged in Sexually Explicit Activity/Child Pornography. Since this affidavit is being submitted for the limited purpose of securing a criminal complaint and arrest warrant, your affiant did not include each and every fact known concerning this investigation. Your affiant did not withhold any information or evidence that would negate probable cause. Your affiant set forth only the facts that are believed to be necessary to establish probable cause that Jerad A. METZLER committed the violations listed above.
2. Your affiant has been employed as a police officer for the Westerville Police Department since December of 1995. Since March of 2008, your affiant has been assigned to the Child Exploitation Task Force with the Federal Bureau of Investigation, Cincinnati Division, Columbus Resident Agency, conducting online child enticement and child pornography investigations. Your affiant is also a member of the Franklin County Internet Crimes Against Children (“ICAC”) Task Force in Columbus, OH investigating similar crimes. Your affiant has gained experience through a Bachelor of Arts Degree in Criminology, and has received specialized training in the area of internet crimes involving child exploitation, child pornography investigations and computer forensics. Your affiant has been involved in hundreds of investigations involving internet crimes against children, resulting in dozens of felony arrests and convictions. As a task force officer

with the FBI, your affiant is authorized to investigate violations of the laws of the United States under the authority of the United States.

3. On May 23, 2017, Special Agent David Knight with the FBI Columbus Resident Agency, while working in an undercover capacity, was conducting an online internet investigation involving subjects possessing and distributing child pornography files utilizing a free publicly-available peer to peer file sharing program. SA Knight observed internet protocol (IP) address 173.88.121.220 as a download candidate for suspected child pornography.

4. On the above date, between 2:46 PM and 4:18 PM (EDT), the peer to peer software program utilized by SA Knight was able to make a direct connection with a computer utilizing IP address 173.88.121.220 and successfully download the following video:

pthe hussyfan!!!NEW Tammy&friends06-This three-minute and 32-second video depicted two prepubescent females, approximately seven to nine years of age, who masturbated and performed oral sex on each other.

5. IP address 173.88.121.220 is resolved to Time Warner Cable. On October 5, 2017, a subpoena was served on Time Warner Cable requesting subscriber information for the suspect IP address for the date and time period that the file described above was downloaded. On or about October 16, 2017, Time Warner Cable responded with the following information:

Name: Adeen Mann

Address: 290 Point Pl

Westerville, OH 43082

6. On June 27, 2017, Det. David Arriaga of the Franklin County ICAC Task Force was conducting online investigations into individuals who are sharing child pornography via the BitTorrent file sharing network. During this investigation, Det. Arriaga discovered a user on the network utilizing IP address 173.88.121.220, who was making available for download files that

contained terms or indicators of child pornography. On that same day, between 7:07 PM and 7:45 PM (EDT), Det. Arriaga partially downloaded the following video:

1st-Studio Siberian Mouse Custom (NK 008)- This 12-second partial video clip depicts two nude females seated. One of the females appears to be approximately thirteen to fifteen years of age and the other appears to be approximately nine to eleven years of age. The two females begin kissing before the video ends.

7. IP address 173.88.121.220 is resolved to Time Warner Cable. On July 13, 2017, Det. Arriaga served a subpoena on Time Warner Cable requesting subscriber information for the suspect IP address for the date and time period that Det., Arriaga downloaded the file described above. Time Warner Cable responded with the following information:

Name: Adeen Mann

Address: 290 Point Pl

Westerville, OH 43082

8. On August 10, 2017, Det. Schmitt of the Brunswick (OH) Police Department was conducting online investigations into individuals who are sharing child pornography via the BitTorrent file sharing network. During this investigation, Det. Schmitt discovered a user of the network utilizing IP address 173.88.121.220 making available for download files that contained terms or indicators of child pornography. On that same day between 3:11 PM and 3:12 PM Det. Schmitt was able to download dozens of images and videos depicting prepubescent children nude or engaged in adult activity. Below is a description of three of these files:

1215264877144b.jpg- This image depicts a nude female baby, approximately three to four months of age. A male adult's penis is visible near the vagina of the child. A substance that appears to be semen is on the child's vagina, stomach and chest.

1262564812258.jpg- This image depicts a prepubescent female, approximately three to four years of age. The child is holding an adult male's penis to her mouth as if she is about to perform oral sex on the male.

--5yo boy Exelent Cock Sucker-- This three second video depicts a nude prepubescent male, approximately six to eight years of age, performing oral sex on an adult male.

9. IP address 173.88.121.220 is resolved to Time Warner Cable. On November 2, 2017, a subpoena was served on Time Warner Cable requesting subscriber information for the suspect IP address for the date and time period that Det. Schmitt downloaded the files described above. Time Warner Cable responded with the following information:

Name: Adeen Mann

Address: 290 Point Pl

Westerville, OH 43082

10. On November 13, 2017, a search warrant was executed at 290 Pointe Place Westerville, OH 43082, which is located in the Southern District of Ohio. Adeen Mann and her son, Jerad A. METZLER were both present at the time. METZLER had been identified as a registered sex offender due to a previous conviction of Pandering Sexually Oriented Matter Involving a Minor on November 17, 2015, in the Franklin County Court of Common Pleas. METZLER agreed to speak with investigators about the ongoing investigation and admitted to searching for and downloading child pornography files using a peer to peer file sharing torrent program on his phone. METZLER further stated that he last observed child pornography on his phone approximately a week prior and that he deleted the files after downloading them. During the interview with your affiant, METZLER also mentioned that law enforcement officers had recently conducted a home visit at his residence due to the fact that he was on probation and registered as a sex offender. METZLER'S mother had also made reference to this visit by law enforcement and stated that the officers who had come to her house had inquired about computers at the residence. METZLER was at work at the time of the visit so his phone could not be searched.

11. Several pieces of digital media were seized during the execution of the search warrant at METZLER's residence, including a Samsung cellular phone and a Sony Playstation, both of which were determined to belong to METZLER. Forensic examinations of these devices were conducted. Examination of the Samsung phone did not yield any images or videos of child

pornography. However, evidence was recovered showing that the phone had been utilized to conduct multiple Google searches for “purenudism pageant” and “purenudism pageant gallery.” Your affiant replicated these searches by putting the search terms into a Google search engine. The searches resulted in a large number of the images depicting nude prepubescent children.

12. The examination of the Samsung phone also revealed that six different torrent applications had been installed on the phone, including the BitTorrent application. This is the file sharing program used by Det. Arriaga and Det. Schmitt to download files of child pornography from the computer at the IP address that resolved to METZLER’s residence.

13. METZLER’s phone was also found to contain a Lexar 32GB Micro SD card. This SD card was forensically examined separately from the cell phone, and the forensic examination revealed the presence of approximately three images and four videos of underage males and females nude and/or engaged in sexual activity. All of these files appeared to have been deleted. Below is a description of several of the images and videos that were recovered and could be viewed.

1st- Studio Siberian Mouse HD 95 (Mod-MSH-04)- This partial video depicts a nude female, approximately ten to twelve years of age. While sitting on a couch, the child spreads her legs and vagina as the camera zooms in on her. The child later inserts a sexual device into her anus.

1st-Studio Siberian Mouse Custom (NK 008)- This partial video clip depicts two nude females seated and kissing. One of the females appears to be approximately thirteen to fifteen years of age and the other appears to be approximately nine to eleven years of age. Later in the clip both girls perform oral sex on each other as well as insert a sexual device into each other’s anuses. It should also be noted that this is the same video that was partially downloaded by Det. Arriaga referenced in Paragraph 6 above.

1st-Studio Siberian Mouse HD 128 (M-ND-13)- This partial video clip depicts two nude females, approximately twelve to fifteen years of age. The girls lie down and begin to kiss and touch each other as the camera pans down their bodies.

Three images depicted two nude prepubescent females and a nude prepubescent male in the bathtub. In two of the images, the male is standing and the two females are seated and touching his penis. The third image depicts the two females licking the male's penis.

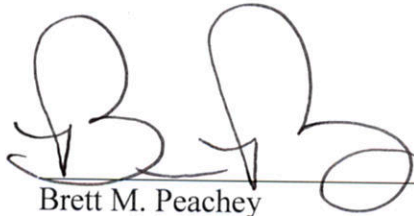
14. In addition to the files described above that were able to be recovered and viewed, multiple deleted folders, images and videos were observed but could not be viewed due to the fact that they had been overwritten. These folders, images and videos all had titles indicative of child pornography, such as "11yo Macedonia Preteen Friends," "PTHC 2013 gina suck in school," "PTHC-Philipine Girl Collection," "lolitas angels 10yo HOT," and "PTHC-Special Girl Collection." Another video, entitled "1st-Studio Siberian Mouse Nk_007.avi", was located on the SD card but only the first few seconds of the video could be viewed. Forensic information from this video, which depicted a prepubescent female standing beside a bed wearing a see-through dress with nothing underneath, revealed that it was downloaded to the SD card on October 18, 2017, utilizing a torrent application.

15. A text message conversation dated October 12, 2017, was also recovered from METZLER's phone, in which his mother advised METZLER that "sheriff, probation officer and a U.S. Marshall" had been at the home to check where METZLER lived. METZLER responded to this text message indicating that he had received the information. Based on the statements of METZLER and his mother to law enforcement, and this text message conversation, METZLER clearly had reason to attempt to delete or destroy evidence of his child pornography activities from any digital media that he possessed.

16. Examination of METZLER's Sony Playstation revealed that it had been used to conduct internet searches for the term "Siberian Mouse", which is the same term contained in the title of each of the three videos recovered from the SD card in METZLER's cellular phone. While further reviewing the internet history and frequently used pages sections of the gaming console, your affiant observed thumbnail images that depicted what had been displayed on the screen when the various searches had been conducted and certain websites had been visited. A review of these websites revealed that they contained thumbnail images that linked to pornographic videos. Some of these thumbnail images appeared to depict females under the age of eighteen nude or

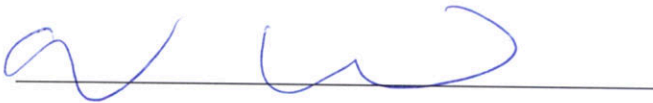
engaged in oral sex with adult men. These internet searches had been done under the user name Jerad METZLER on the gaming console.

17. Based upon the above information, your affiant submits that there is probable cause to believe Jerad A. METZLER has committed the offense of Receipt of Child Pornography in violation of 18 U.S.C. 2252(a)(2). Therefore, your affiant respectfully requests this court issue a criminal complaint and arrest warrant.

A handwritten signature in black ink, appearing to read 'B. Peachey', is written over a horizontal line.

Brett M. Peachey
Task Force Officer
Federal Bureau of Investigation

Sworn to and subscribed before me this 9 day of January, 2018.

A handwritten signature in blue ink is written over a horizontal line.

United States Magistrate Judge
United States District Court
Southern District of Ohio